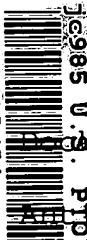


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

04/30/01



Packet No. A-69199-1/DJB/JJD/AMS

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Anticipated Classification of  
this Application:

Class: Subclass:

Prior Application:

TYPED NAME Mark Rancifer

Examiner:

SIGNED Mark Rancifer

Art Unit:

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

For:

This is a request for filing an

☐ Original

☐ Continuation

☐ Divisional

☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Peter Hevezi, David Mack, Kurt C. Gish, Keith E. Wilson, for NOVEL METHODS OF DIAGNOSIS OF PROSTATE CANCER AND/OR BREAST CANCER, COMPOSITIONS, AND METHODS OF SCREENING FOR PROSTATE CANCER AND/OR BREAST CANCER MODULATORS of Invention). This ☐ continuation ☐ divisional ☒ continuation-in-part claims priority to pending application Serial No. 09/733,288, filed on December 8, 2000, which is a continuing application of Application No. 09/687,576, filed October 13, 2000.

1. (a) ☐ Enclosed is a new application.
- (b) ☒ Enclosed is a continuation-in-part application.
- (c) ☐ Enclosed is a copy of the prior application.

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Form 1.16b (8069)

02/01



2. (a) ☐ Enclosed is a new Declaration.  
 (b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.  
 (c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

3. ☒ Applicant claims small entity status. See 37 CFR 1.27.

4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
FOR:	<u>NO. FILED</u>	<u>NO. EXTRA</u>	<u>RATE</u>	<u>FEE</u>	OR	<u>RATE</u>	<u>FEE</u>
BASIC FEE				\$355	OR		\$710
TOTAL CLAIMS	<u>      </u> -20 =	* <u>      </u>	x 9 =	\$ <u>      </u>	OR	x 18 =	\$ <u>      </u>
INDEP CLAIMS	<u>      </u> -3 =	* <u>      </u>	x 40 =	\$ <u>      </u>	OR	x 80 =	\$ <u>      </u>
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$ <u>      </u>	OR	+270 =	\$ <u>      </u>
*If the difference in Col. 1 is less			TOTAL	\$ <u>      </u>	OR	TOTAL	\$ <u>      </u>
than zero, enter "0" in Col. 2.							

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-69199-1/DJB/JJD/AMS).

6. ☒ The filing fee is **not** enclosed.

7. ☐ Cancel in this application original claims                                  of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☐ Amend the specification by inserting before the first line the sentence:

9. (a)   X   Informal drawings are enclosed,   3   sheets.  
(b)        Formal drawings are enclosed,        sheets.
10. (a)        Priority of application Serial No.        filed on         
       in        is claimed under 35  
U.S.C. 119.
- (b)        The certified copy has been filed in prior application  
Serial No.        filed on       .
11.        An Assignment is enclosed.
12.   X   The prior application is assigned of record to EOS  
BIOTECHNOLOGY, INC..
13.        A Power of Attorney by Assignee is enclosed.
14.   X   The power of attorney in the prior application is to:
- FLEHR HOHBACH TEST  
ALBRITTON & HERBERT, LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187
- (a)   X   The power appears in the original papers in the prior  
application.
- (b)        Since the power does not appear in the original papers, a copy  
of the power in the prior application is enclosed.
- (c)   X   Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

15. \_\_\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
16. \_\_\_\_\_ A Prior Art Statement is enclosed.
17. \_\_\_\_\_ I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

Date: 4/30/01

David J. Brezner

David J. Brezner  
(Reg. No. 24,774)

FLEHR HOHBACH TEST  
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